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PATENT

ATTORNEY'S DOCKET NO.: MAC-7000P1

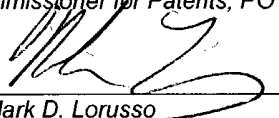
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 14 2004
TC 1760

In re the Application of: George Clark et al.
Serial No.: 10/004,149
Filed: October 31, 2001
For: CARBONATED FORTIFIED MILK-BASED BEVERAGE
AND METHOD FOR SUPPRESSING BACTERIAL
FORMATION IN THE BEVERAGE
Examiner: Keith D. Hendricks
Art Unit: 1761

CERTIFICATE OF MAILING

I hereby certify that the following correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA. 22313-1450 on June 3, 2004.


Mark D. Lorusso

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

This is in response to the office action mailed December 4, 2003. Entry and consideration are respectfully requested. Please amend the application as follows:

In the specification:

Replace the paragraph beginning at line 5 on page 1 with the following paragraph:

This is a continuation-in-part of pending U.S. Serial No. 09/473,252, filed December 27, 1999, now U.S. Patent No. 6,403,129, issued June 11, 2002, the contents of which are incorporated herein by reference.